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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,322	07/10/2001	Philippe A. Charrin	156906-0008	7395
29000	7590	06/23/2005	EXAMINER	
IRELL & MANELLA LLP 1800 AVENUE OF THE STARS SUITE 900 LOS ANGELES, CA 90067			FRANKLIN, JAMARA ALZAIDA	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,322

Applicant(s)

CHARRIN, PHILIPPE A.

Examiner

Jamara A. Franklin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-31 and 45 is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-23, 32-44 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgment is made of the amendment filed on 5/16/05. Claims 1-7 and 9-46 are currently pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 9, 12-17, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Dabrowski (US 5,635,696).

Dabrowski teaches a multi-mode card reader, comprising:

a card reader interface (magnetic card printed circuit board 70 and magnetic card sensors 96 and 97);

a bill acceptor interface (optical currency sensor 62 and currency entry sensor 91 and 92);
and

a card reader controller (central processing unit printed circuit board 52 and microchip 54) connected to said card reader interface and electronically interposed between said bill acceptor interface, and a host interface (input/output printed circuit board 56), said card reader controller allowing transfer of cash transaction data from said bill acceptor interface to said host interface according to a bill validator protocol (as programmed in microchip 54) when said cash

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transaction data is received from said bill acceptor interface and said controller is in a first mode, and allowing transfer of cashless transaction data from said card reader interface to said host interface according to a different protocol (as programmed in microchip 54) when said cashless transaction data is received from said card reader interface and said controller is in a second mode (col. 5, lines 5-65);

the reader further comprising a relay (currency gate 100) across which electrical signals (signals which control currency gate 100) are transmitted, wherein said relay passes through cash transaction data from said bill acceptor interface to said host interface when in a first position, and prevents cash transaction data from passing from said bill acceptor interface to said host interface when in a second position;

inherently, the reader wherein said host interface comprises a protocol translator, said protocol translator converting cash transaction data from a bill validator to a protocol used by a host device connected to said host interface;

the reader wherein said relay switches from said first position to said second position when said card reader interface detects insertion of a portable electronic card;

the reader wherein said bill acceptor data interface and said host interface each comprise a universal asynchronous receiver/transceiver (UART);

the reader wherein said bill acceptor interface receives said cash transaction data according to a B.V. bill validator protocol;

the reader wherein said host interface is connected to an electronic gaming machine (col. 3, lines 6-24); and

the reader wherein said cashless transaction data is communicated by said host interface to said electronic gaming machine according to an electronic gaming machine protocol.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 7, 18, 32, 33, and 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski in view of Bell et al. (US 5,919,091) (hereinafter referred to as 'Bell').

The teachings of Dabrowski have been discussed above.

Dabrowski lacks the teaching of the card reader interface being configured to read smart cards.

Bell teaches a multi-mode card reader comprising:

a card reader interface configured to read smart cards (col. 4, lines 64-67).

One of ordinary skill in the art would have readily recognized that configuring the Dabrowski invention to read smart cards would have been beneficial for accommodating the use of the technologically-advanced smart card in public use of common electronic financial transactions. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski with the configuration for reading a smart card as taught by Bell to aid in the secure transfer of electronic cash.

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5. Claims 10, 11, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski in view of Pailes (US 5,495,098).

The teachings of Dabrowski have been discussed above.

Dabrowski lacks the teaching of the card reader comprising a secured internal meter.

Pailes teaches a card reader comprising:

a secured internal meter wherein said secured internal meter is contained with a security and authentication module (SAM) (col. 4, lines 29-37).

One of ordinary skill in the art would have readily recognized that a secured internal meter would have been beneficial to the invention of Dabrowski for protecting against fraudulent usage of stored card data by requiring card authentication. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski with the aforementioned teachings of Pailes to secure personal information on the card.

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski in view of Rademacher (US 5,450,938).

The teachings of Dabrowski have been discussed above.

Dabrowski lacks the teaching of the cash transaction data received at said bill acceptor interface used to credit a card inserted in said card reader interface.

Rademacher teaches a multi-mode card reader wherein cash transaction data received at said bill acceptor interface is used to credit a card inserted in said card reader interface (col. 7, line 52-col. 8, line 3).

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One of ordinary skill in the art would have readily recognized that crediting the card using bills inserted into the multi-mode reader would have been beneficial for giving the multi-mode reader a wider range of usages that may accommodate the user's needs and habits. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski with the aforementioned teaching of Rademacher.

7. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski/Bell as applied to claim 32 above, and further in view of Rademacher.

The teachings of Dabrowski/Bell have been discussed above.

Dabrowski/Bell lack the teaching of the cash transaction data received at said bill acceptor interface used to credit a card inserted in said card reader interface.

The teachings of Rademacher have been discussed above.

One of ordinary skill in the art would have readily recognized that crediting the card using bills inserted into the multi-mode reader would have been beneficial for giving the multi-mode reader a wider range of usages that may accommodate the user's needs and habits. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski/Bell with the aforementioned teaching of Rademacher.

8. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski/Bell as applied to claim 32 above, and further in view of Pailes.

The teachings of Dabrowski/Bell have been discussed above.

Dabrowski/Bell lack the teaching of the card reader comprising a secured internal meter.

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The teachings of Pailes have been discussed above.

One of ordinary skill in the art would have readily recognized that a secured internal meter would have been beneficial to the invention of Dabrowski/Bell for protecting against fraudulent usage of stored card data by requiring card authentication. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski/Bell with the aforementioned teachings of Pailes to secure personal information on the card.

9. Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski in view of Magier (US 4,808,803).

The teachings of Dabrowski have been discussed above.

Dabrowski lacks the teaching of cashless transaction data being communicated to a central computer.

Magier teaches a reader wherein the reader further comprises a system interface by which said cashless transaction data may be communicated to a central computer controlling or monitoring a plurality of host devices (see figure 1).

One of ordinary skill in the art would have readily recognized that allowing the Dabrowski invention to communicate data to a central computer would have been beneficial for having another means by which data may be stored or processed, thereby expanding the efficiency of the system itself. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski with the aforementioned teaching of Magier.

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10. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dabrowski/Bell as applied to claim 32 above, and further in view of Magier.

The teachings of Dabrowski/Bell have been discussed above.

Dabrowski/Bell lack the teaching of cashless transaction data being communicated to a central computer.

The teachings of Magier have been discussed above.

One of ordinary skill in the art would have readily recognized that allowing the Dabrowski/Bell invention to communicate data to a central computer would have been beneficial for having another means by which data may be stored or processed, thereby expanding the efficiency of the system itself. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Dabrowski/Bell with the aforementioned teaching of Magier.

Allowable Subject Matter

11. Claims 24-31 and 45 are allowed.

12. The following is a statement of reasons for the indication of allowable subject matter: although the prior art of record, particularly the Dabrowski invention teaches a bill acceptor coupled with a card reader, the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, a method for controlling cash and cashless transactions at a combined bill acceptor and card reader, comprising the steps of: processing data on a card and generating cashless transaction data; generating cash transaction data in response to the receipt of cash at the

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bill acceptor; transmitting cash transaction data to a card reader; and then selecting between at least a cash mode and a cashless mode.

Response to Arguments

13. Applicant's arguments filed 5/16/05 have been fully considered but they are not persuasive.

The examiner submits that, as cited in independent claim 1, 2, and 32, the data unit/smart card reader passing through cash transaction data is broadly interpreted for examination purposes. Referring to the Dabrowski invention, the blockage of the card opening 40 allows for the "passing through of cash transaction data" by way of a currency slot 104, thereby reading upon the claimed limitation.

In view of the argument regarding the usage of Charrin (US 6,577,733), the examiner has withdrawn the reference. However, Pailes (US 5,495,098) has been found to read upon the claimed limitation.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamar A. Franklin
Examiner
Art Unit 2876

JAF
June 14, 2005



DIANE I. LEE
PRIMARY EXAMINER